

## REMARKS

The present amendment is prepared in accordance with the new revised requirements of 37 C.F.R. § 1.121. A complete listing of all the claims in the application is shown above showing the status of each claim. For current amendments, inserted material is underlined and deleted material has a line therethrough.

Applicants appreciate the thoroughness with which the Examiner has examined the above-identified application. Reconsideration is requested in view of the amendments above and the remarks below.

### DETAILED ACTION

#### Claim Rejections - 35 USC § 103

**Claims 11 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sayka et al (U.S. Patent No. 6766813) in view of Lyle O. Malotky (U.S. Patent No. 5120369).**

Sayka et al is cited to disclose an apparatus for removing contaminate particulate matter from a semiconductor wafer and disclose a support (Abstract and Fig 1), energy (acoustic wave) forming means to dislodge particulate matter (Col 3, lines 1-20) and means to remove particulate matter (Col 4, lines 45-57).

The Examiner acknowledges that Sayka et al fail to disclose means for applying a sacrificial coating of a polymer, curing and removal of particulate matter with it.

Malotky is cited to disclose an apparatus for removing material from a surface by spraying a polymer in solution or suspension which cross links to a film which is removable by stripping (Abstract).

The Examiner concludes it would have been obvious for one of ordinary skill in the art at the time of invention to have used strippable polymer material to encapsulate dislodged particles from the substrate of Sayka et al in order to safely and completely remove contaminate particulate matter from the substrate.

The Examiner states in response to applicant's arguments regarding the deficiency of Sayka et al, that it is noted that unobviousness cannot be established by attacking the references individually when the rejection is based on a combination of references. *In re Novak* 16 USPQ 2d 2041, 2043 (Fed. Cir., BPAI 1989); *EWP Corp. v. Reliance Universal Inc.* 225 USPQ 20 (Fed. Cir. 1985); *In re Keller* 208 USPQ 871 (CCPA 1981); *Ex parte Varga* 189 USPQ 204 (PO BdPatApp 1973); *Ex parte Campbell* 172 USPQ 91 (PO BdPatApp 1971); *In re Scheekler* 168 USPQ 716 (CCPA 1971); *In re Young* 159 USPQ 725 (CCPA 1968); *In re Lyons* 150 USPQ 741 (CCPA 1966).

Further, quoted from Malotky

"A novel method and process for applying a tailor-made polymer film system a metal surface for the purpose of immobilizing and decontaminating hazardous chemicals from the said surface using a polymer that will take up the undesirable materials by solution, absorption adsorption and hold such undesirable materials in solid suspension with subsequent stripping of the polymeric material." clearly indicates particulate matter going in to polymer film which could be stripped.

Further, applicant is reminded that the claims are directed to an apparatus and the cited prior art discloses beyond, what would be necessary to prove a prima facie case of obviousness.

Applicants acknowledge and appreciate the Examiner's rejections but respectfully submit that neither reference discloses nor teaches Applicants' invention whether taken singly or in any proper combination.

Firstly, Applicants respectfully submit that they are not attacking the references individually where the rejection is based on a combination of references and respectfully submit that neither reference discloses nor teaches an apparatus whereby contaminants are contained in a polymer film on the surface of a substrate which polymer film is stripped as a polymer film from the surface of the substrate thereby removing the contaminant particles from the surface of the substrate. After the stripping operation of Applicants' invention, a strippable film is obtained which contains the contaminant particles therein. It is respectfully submitted that neither reference discloses nor teaches this invention.

Regarding the Sayka et al. reference, for reasons of record it is respectfully submitted that any dislodged particles are washed away with a stream of cleaning fluid. Similarly, Malotky also teaches the washing away of a sacrificial coating to remove contaminant particles from the surface of a substrate. Both references show the washing away of particles and not Applicants' invention which shows removing the contaminants in a polymer film which film is stripped from the surface of a substrate forming a stripped film containing particles and a clean surface.

Applicants would be agreeable to further amendment to the main claim to highlight this difference and a possible amendment to the last such paragraph of claim 11 would be as follows:

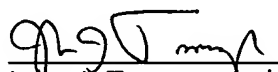
means for removing the particulate matter containing curable polymer sacrificial strippable film from the surface of the substrate as a strippable film without the use of rinsing or solvent to wash away the film providing a substrate surface having less particulate matter therein and a stripped film containing the particles.

It is Applicants' position that the references actually lead one of ordinary skill in the art away from the claimed invention and cannot therefore render it unpatentably obviousness. *In re Dow Chemical Co.* (CAFC 1988) 5 USPQ 2d 1529. That the reference leads one of ordinary skill in the art away from the claimed invention is a significant factor to be considered. In the cited prior art it is again Applicants' position that the prior art shows the washing away of particles from the substrate surface when the contaminants are in a polymer film as in Malotky or in Sayka which merely shows dislodging particles from the surface of

the wafer which dislodged particles are washed with a stream of cleaning fluid. There is no disclosure or teaching in the references to remove the contaminant particles as a stripped film as claimed by Applicants.

It is respectfully submitted that the application has now been brought into a condition where allowance of the case is proper. Reconsideration and issuance of a Notice of Allowance are respectfully solicited. Should the Examiner not find the claims to be allowable, Applicants' attorney respectfully requests that the Examiner call the undersigned to clarify any issue and/or to place the case in condition for allowance.

Respectfully submitted,

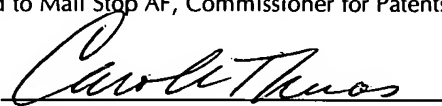


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Name: Carol M. Thomas Date: January 17, 2007 Signature:   
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